(Rev. 04/20) Judgment in a Criminal Case

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF GEORGIA STATESBORO DIVISION

UNITED STATES	OF AMERICA) JUDGMENT IN	A CRIMINAL CASE	
v. <u>Terry Wi</u> aka "Youn	.)) Case Number:	6:20CR00001-17	
www Town	<u>g Duon</u>) USM Number:		
	Š) OSM Number:	23416-021	
)		
THE DEFENDANT:		Lindy Moody Defendant's Attorney		
☑ pleaded guilty to Counts 43 ar	<u>nd 47</u> .			
pleaded nolo contendere to Co	ount(s) which was a	ccepted by the court.		
☐ was found guilty on Count(s)	after a plea of not g	guilty.		
The defendant is adjudicated guilt	ty of these offenses:			
<u> Fitle & Section</u>	Nature of Offense		Offense Ended	Count
21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841(b)(1)(C)	Possession with intent to distribumethamphetamine, cocaine base	-	July 31, 2019	43
21 U.S.C. § 843(b), 21 U.S.C. § 843(d), and 18 U.S.C. § 2	Use of a communication facility		April 15, 2019	47
The defendant is sentenced Sentencing Reform Act of 1984. ☐ The defendant has been found	d as provided in pages 2 through not guilty on Count(s)	7 of this judgment.	The sentence is imposed pursua	nt to the
	ssed as to this defendant on the mot	tion of the United States.		
or mailing address until all fines	ndant must notify the United States s, restitution, costs, and special ass tify the Court and United States At	sessments imposed by th torney of material change	is judgment are fully paid. If o	
		June 3, 2021 Date of Imposition of Judgme	nt Sulto	
		Signature of Judge		
		R. Stan Baker United States District Southern District of G Name and Title of Judge	•	
		June 14, 2021		
		Dail		

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IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: 161 months; this term consists of terms of 161 months as to Count 43 and 48 months as to Count 47, to be served concurrently.

	The Court makes the following recommendations to the Bureau of Prisons: It is recommended that the defendant be given credit toward this federal sentence for all time served in custody from July 31, 2019, until September 5, 2019, and all time since January 14, 2020, that is not credited toward another sentence. It is recommended that the defendant be evaluated by Bureau of Prisons officials to establish his participation in an appropriate program of substance abuse treatment and counseling, including the Residential Drug Abuse Program (RDAP), during his term of incarceration. It is further recommended that the defendant be designated to a Bureau of Prisons facility in Jesup, Georgia, or Estill, South Carolina.
\boxtimes	The defendant is remanded to the custody of the United States Marshal.
	The defendant shall surrender to the United States Marshal for this district:
	□ at □ a.m. □ p m. on
	☐ as notified by the United States Marshal.
	The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
	□ before 2 p m. on
	☐ as notified by the United States Marshal.
	as notified by the Probation or Pretrial Services Office.
	RETURN
I have	e executed this judgment as follows:
	Defendant delivered on to
at	, with a certified copy of this judgment.
	UNITED STATES MARSHAL
	Bv

DEPUTY UNITED STATES MARSHAL

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SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of: <u>3 years as to Count 43 and 1 year as to Count 47, to be served concurrently.</u>

MANDATORY CONDITIONS

1.	You must not commit another federal, state, or local crime.
2. 3.	You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
	☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. (Check, if applicable.)
4. 5.	☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. (Check, if applicable.) ☐ You must cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
6. 7.	☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) a directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. (Check, if applicable.) ☐ You must participate in an approved program for domestic violence. (Check, if applicable.)

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

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STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

- 1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
- 2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
- 3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
- 4. You must answer truthfully the questions asked by your probation officer.
- 5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
- 7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
- 9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
- 10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e. anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as a nunchakus or tasers).
- 11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting permission from the court.
- 12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified that person about the risk.
- 13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

Defendant's Signature				D	ate		
Conditions, available at: www.	.uscourts.gov.						
containing these conditions.	For further information	regarding these	conditions, se	ee Overview o	of Probation a	and Supervised	Release
A U.S. probation officer has in	structed me on the condit	tions specified by	the court and	has provide m	ne with a writte	n copy of this ji	adgmen

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SPECIAL CONDITIONS OF SUPERVISION

- 1. You must participate in a substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program.
- 2. You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not attempt to obstruct or tamper with the testing methods.
- 3. You must participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program.
- 4. You must not communicate, or otherwise interact, with any known member of a gang, without first obtaining the permission of the probation officer.
- 5. You must submit your person, property, house, residence, office, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments.

TOTA	ALS \$200	Restitution	<u>Fine</u>	AVAA Assessment*	JVTA Assessment **
	The determination of resti- will be entered after such of		il	. An Amended Judgmen	nt in a Criminal Case (AO 245C)
	The defendant must make	restitution (including	g community re	stitution) to the following payees	in the amount listed below.
		centage payment colu			payment, unless specified otherwise 64(i), all nonfederal victims must be
Name	of Payee	<u>Total Loss**</u>	*	Restitution Ordered	Priority or Percentage
TOTA	ALS				
	Restitution amount ordere	d pursuant to plea ag	reement \$		
		of the judgment, pu	rsuant to 18 U.	S.C. § 3612(f). All of the paymen	tion or fine is paid in full before the nt options on Sheet 6 may be subject
	The court determined that	the defendant does n	ot have the abil	lity to pay interest and it is ordered	d that:
	the interest requireme	nt is waived for the	☐ fine	restitution.	
1	the interest requireme	nt for the	ne 🗌 res	stitution is modified as follows:	
* Am	y, Vicky, and Andy Child F	Pornography Victim A	Assistance Act	of 2018, Pub. L. No. 115-299.	

^{**} Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

^{***} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Hav	ing a	assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:
A	\boxtimes	Lump sum payment of \$200 is due immediately.
		□ not later than, or in accordance □ C, □ D, □ E, or □ F below; or
В		Payment to begin immediately (may be combined with \Box C, \Box D, or \Box F below); or
C		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
D		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
E		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
F		Special instructions regarding the payment of criminal monetary penalties:
dur Fin	ing in	ne court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate I Responsibility Program, are made to the clerk of the court. Indant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.
	D	int and Several efendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
	Tł	ne defendant shall pay the cost of prosecution.
	Tł	ne defendant shall pay the following court cost(s):
	Pι	ne defendant shall forfeit the defendant's interest in the following property to the United States: ursuant to the plea agreement, the defendant shall forfeit his interest in any property that was seized during the instant investigation, cluding the firearms listed in the Indictment.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVTA Assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.